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NARCOTIC DRUGS

Summary of the report of the International Narcotics Control Board for 1991

1. In accordance with the Single Convention on Narcotic Drugs of 1961, 1/ the International Narcotics Control Board is required "to prepare an annual report on its work and such additional reports as it considers necessary". An analogous obligation is set forth in the Convention on Psychotropic Substances of 1971. The reports must be submitted to the Economic and Social Council through the Commission on Narcotic Drugs. 2/ In each year's annual report, the Board provides a comprehensive survey of the current drug control situation in the world, and recommends action that it considers appropriate. 3/

2. In its report for 1991, the Board notes that despite some encouraging developments and resolute pursuit of counteraction by countries at the community, national, regional, bilateral and multilateral levels, the drug abuse situation worldwide remains grim. Illicit production, trafficking and abuse of drugs, together with attendant violence and corruption, continue to imperil public health in virtually all countries, to take a heavy toll in human lives and productivity, to threaten political institutions, to undermine economies and to wreak environmental devastation. Programmes with the capability to permit large-scale eradication of the vast cultivation of narcotic plants and to provide alternative income possibilities for farmers are not yet in place. Interlocking criminal trafficking organizations, well-financed and heavily armed, continue to produce and smuggle enormous quantities of heroin and cocaine throughout the world. In its report for 1990, the Board had made special note of evidence suggesting that trafficking organizations in South America, Western Europe and South-East Asia were engaged in a joint venture to smuggle heroin and cocaine. Seizure data show that these traffickers are expanding their operations and spreading them to new countries and territories. Predictably, abuse of heroin is soaring in a number of regions and cocaine, once abused mainly in the Americas and Europe, now also threatens Africa, the Near and Middle East, South and South-East Asia

and Oceania. The cost in human suffering and life is magnified by the spread of the HIV infection by intravenous drug use and the birth to infected mothers of many critically ill and severely handicapped infants.

3. Nevertheless, a number of positive developments have occurred in 1991. Surveys made in a number of countries continue to show stabilization or decline in the abuse of certain drugs. Also heartening are the spreading actions by citizens at the community level in some countries to turn the tide against drug abuse. The comprehensive programmes they promote are achieving major results. Mounting seizures of heroin, cocaine and other drugs in many countries and regions attest to determined efforts by law enforcement authorities. The subjection of trafficking organizations to relentless pressure has disrupted their operations, led to the arrest of kingpin traffickers and crippled a major and ruthless cartel in Colombia.

4. The number of Parties to the 1961, 1971 and 1988 Conventions increased in 1991. New or strengthened legislation and measures required for effective implementation of the Conventions have been adopted in several countries. A number of them concern the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988 and are aimed at the curtailment of money-laundering, seizure of traffickers' assets and prevention of the diversion to traffickers of chemicals needed for illicit manufacture of cocaine, heroin and other drugs. During 1991, collective and bilateral efforts by some Governments have resulted in the elaboration of promising measures to achieve these aims.

5. In its report for 1990, the Board had stressed that the response of the international community to the world-wide threat must be even stronger, more comprehensive, more innovative. The Board reiterates this view and reaffirms its belief that special emphasis should be accorded by the international community towards:

(a) Enacting and vigorously pursuing comprehensive measures to contain and reduce the illicit demand for drugs;

(b) Exchanging information promptly to facilitate the apprehension, arrest and prosecution of traffickers;

(c) Denying traffickers opportunities to launder their ill-gotten gains through legitimate enterprises and financial institutions;

(d) Preventing traffickers from acquiring precursors, arms, sophisticated weaponry, aircraft, ships and the like;

(e) Providing, in response to requests of States under attack by traffickers, full assistance including security devices, weapons, aircraft, ships and training;

(f) Affording the States concerned access to modern technology to permit the location and environmentally safe destruction of narcotic drugs;

(g) Providing large-scale integrated rural development assistance to enable cultivators of illicit crops to make their living through licit agricultural or other enterprises;

(h) Expanding marketing possibilities and establishing fair export prices for alternative economic activities without which containment and progressive reduction of such crops cannot succeed.

Each Member country of the international community will of course need to decide on action priorities in the light of national circumstances.

6. It is axiomatic that if programmes designed to provide alternative income possibilities for growers of narcotic crops are to succeed, marketing opportunities and fair export prices for such alternatives must be established. The Board welcomes the action taken by the European Economic Community to include Bolivia, Colombia, Ecuador and Peru in its perferential customs system for a number of agricultural and industrial products, thereby augmenting these countries' export possibilities and promoting the success of such programmes. Similar initiatives should be studied by Governments with a view to early implementation.

7. The Board again reiterates that all countries in which weaponry is manufactured and without which traffickers could not wreak such havoc bear a heavy responsibility to prevent such weaponry from falling into the hands of traffickers. Effective measures to this end require urgent attention.

8. Countries in which illicit and uncontrolled narcotics production takes place also bear responsibility under the 1961 Convention to prevent illicit and uncontrolled cultivation of narcotic drugs. The pursuit of sustained and comprehensive programmes aimed at progressively reducing and eventually eliminating such production is essential. It is also essential that the producing countries concerned employ methods which permit accurate detection and large-scale environmentally safe destruction of narcotic crops. An expert group, convened under United Nations aegis in 1989, affirmed that development of a global system for locating illicit cultivation by space-borne remote-sensing devices was feasible. Another expert group identified progress already made in developing highly effective, environmentally safe herbicides for use in eradication of such crops and recognized that the United Nations should promote and coordinate the use of such herbicides. The Board reiterates that such sensitive technical activities are uniquely suitable for pursuit under United Nations aegis and urges that the necessary resources be provided to these ends. The Board also recommends that countries in which illicit production of narcotic crops occurs request such assistance.

9. A critical and intractable component of the drug problem is the reduction of illicit demand. Unless progress towards this end can be made, sustained successes in other dimensions of the drug equation can only be temporary since otherwise one source of supply or one particular drug will inevitably be promptly substituted for another. Accordingly, the Board reiterates that Governments should redouble their efforts to enable accelerated progress to be

made in reducing drug abuse. Success inevitably requires involvement at the family and community levels. Stress should be placed on preventive measures aimed at young children as well as on education against all types of substance abuse. The Board, therefore, welcomes the spread of community-led programmes in many countries.

10. The United Nations International Drug Control Programme is developing an International Drug Abuse Assessment System (IDAAS) to provide a comprehensive overview and analysis of drug abuse and programmes being pursued by Governments and national organizations to prevent and reduce such abuse. This information relates to all aspects relevant to drug abuse, including epidemiology, prevention, education, treatment, rehabilitation and social reintegration. IDAAS is made possible by the provision of data by Governments in response to a questionnaire adopted by the Commission in accordance with the 1961 Convention. Data is also provided by other United Nations bodies and certain of the specialized agencies. The Board warmly welcomes the establishment of IDAAS. Such a central international source of information on drug abuse for use by Governments and national organizations has long been needed. It is in the vital interest of the world community that all countries provide fully and promptly to the Programme the information specified in the Commission's questionnaire.

11. The prevalence of AIDS world-wide underlines the necessity of finding more effective ways to reduce demand for drugs and to identify modalities to treat successfully abusers who consume several drugs simultaneously, often in conjunction with alcohol. Approaches adopted by various affected countries will inevitably differ in the light of differing cultures and local circumstances. These approaches should be systematically evaluated and information exchanged in a timely manner. The Board proposes that the Programme, in cooperation with Governments and the specialized agencies concerned, in particular the World Health Organization (WHO), establish through IDAAS a mechanism to facilitate such exchanges.

12. The Board wishes once more to reject emphatically the view which continues to be voiced advocating the legalization of the possession and use of some or all drugs for non-medical purposes. Such an approach would undoubtedly be interpreted by potential abusers as sanctioning drug use and can be expected to lead to exploding abuse, attended by an increase in drug-related deaths, soaring health care costs, the destruction of families and the erosion of basic values. Moreover, any slackening of controls not only constitutes non-compliance with treaty obligations but is morally indefensible. Prohibition of the non-medical possession and use of narcotic drugs and psychotropic substances represents specific obligations of the Parties under the 1961, 1971 and 1988 Conventions. The Board proposes to send missions in the near future to some countries whose laws do not appear to conform to these articles of the Conventions.

Status of the Conventions

13. As of 1 November 1991, the number of States Parties to the Single Convention on Narcotic Drugs, 1961, in its original and amended forms, stands at 133, of which 106 are Parties to the Convention as amended by the 1972 Protocol. Since the Board's report for 1990, the Federated States of Micronesia, the Marshall Islands, Mongolia and Saint Lucia have become Parties to the 1961 Convention and that Convention as amended. Czechoslovakia and Guinea have become Parties to the 1972 Protocol. Most non-Parties comply in fact with the provisions of the 1961 Convention.

14. Parties to the Convention on Psychotropic Substances, 1971, as of 1 November 1991, number 106. This includes three countries that became Parties during 1991: the Federated States of Micronesia, Luxembourg and the Marshall Islands. The Board is concerned that 20 years after the conclusion of the 1971 Convention, a number of developed countries have not yet become Parties despite their announcements, made a number of years ago, of their intention to do so. It is particularly important that such action be taken without further delay by those countries, which are major manufacturers and exporters of psychotropic substances, namely, Austria, Belgium, Ireland, the Netherlands and Switzerland.

15. The 1988 United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances entered into force on 11 November 1990. As of 1 November 1991, about one year later, a total of 50 States and the European Economic Community had become Parties to the 1988 Convention. The Board is gratified at this progress and urges all States that have not yet done so to become Parties at the earliest possible time.

Assessment of operation of the Conventions

16. Effective control of drugs essential for medical and scientific purposes and their adequate supply constitute a cornerstone of the international community's effort to prevent drug abuse. In general, the international control system for narcotic drugs, evolved in this century over more than 65 years and consolidated in the 1961 Convention, continues to operate well. Diversion of narcotic drugs from licit trade into illicit channels, which not many decades ago posed a formidable threat and constituted a priority concern of Governments, now remains relatively rare, and the quantities involved are small. This holds true both for drugs in international trade and in domestic wholesale channels. This satisfactory control situation for narcotic drugs has prevailed for a number of years. The price of its maintenance is continuing vigilance and restraint particularly in relation to proliferation of sources of manufacture to which the Board continues to be strongly opposed.

17. One function of the Board under the 1961 Convention is to ensure adequate supplies of opiates to relieve pain and suffering and at the same time to avoid overproduction. At present, the supply of raw materials and global consumption remains in approximate balance. The Board proposes, at an appropriate time, to conduct a new wide-ranging study, consulting in this

connection with raw material producers as well as opiate manufacturing and major consuming countries. This would provide a projection of the probable global needs for opiates and raw materials over the next several years to avoid shortage or overproduction. Paragraphs 81 to 88 of the report further elaborate on the question of demand for and supply of opiates for medical and scientific needs.

18. The control system for psychotropic substances set forth in the 1971 Convention has begun to work well. Many Parties and non-Parties alike apply satisfactorily the controls stipulated in the Convention as well as the special voluntary measures recommended by the Board to bolster those controls. The controls provided for in the Convention and strengthened by the voluntary measures, enable the Board, in concert with Governments, to pursue its efforts to prevent traffickers from diverting psychotropic substances from sources of licit manufacture and trade into illicit channels. During the first 10 months of 1991, diversion of approximately 10 metric tons (weight of the active substance) of psychotropic substances was prevented. Experience has shown that attempts are repeatedly made by the same unscrupulous persons and companies. They often resort to shifting their operations to countries where exports are not controlled. In these countries trafficking remains largely undetected and the perpetrators unpunished even when identified. Amendment of national legislation in those countries is required urgently.

19. In its report for 1990, the Board expressed particular concern over the diversion of pemoline, a substance listed in Schedule IV of the 1971 Convention, from European manufacturing and exporting countries to illicit channels in parts of Africa and Asia, thereby increasing public health problems. During 1989 and 1990, more than 1,000 million tablets of this stimulant were diverted to Nigeria alone. Cooperation between Nigeria and the exporting countries concerned, acting in collaboration with the Board, has resulted in measures to thwart diversion. One measure involved Nigeria's formally prohibiting the import of pemoline into the country by invoking the provisions of article 13. This prohibition has had a strong deterrent impact.

20. The Board notes with satisfaction that other countries particularly at risk are also taking advantage of article 13 to prevent unwanted imports. Manufacturing and exporting countries are required by the provisions of that article to ensure that psychotropic substances banned by importing countries are not exported to them. The Board is monitoring the situation and is initiating dialogues with manufacturing and exporting countries to ensure that adequate measures are being taken to this end. The Board is also encouraging developing countries which have not yet invoked article 13 to do so.

21. Voluntary measures recommended by the Board to tighten controls over substances listed in Schedule II are being applied by countries world-wide and the diversion of these substances, once a matter of serious concern, has become rare. The Board, therefore, recommended that similar voluntary measures be extended to cover substances listed in Schedules III and IV. The Board is gratified that its recommendations have been endorsed by the Council. One such measure concerns the extension of the simplified estimate

system, which has proven so beneficial in the case of Schedule II substances. Under this measure Governments would communicate their assessments of annual medical requirements for these substances for publication by the Board. This will help importing countries to ensure that imports accord with their actual needs and facilitate action by manufacturing and exporting countries to prevent unwanted exports as well as to plan realistic manufacturing levels and avoid overproduction. Paragraphs 56 to 72 of the report discuss these and other measures that need to be taken to buttress international control of psychotropic substances.

22. The Board encourages all States, pursuant to recommendations of the Plenipotentiary Conference which adopted the 1988 Convention, the Council and the General Assembly to apply provisionally the measures provided in the Convention, pending its entry into force for each of them. Implementation of the provisions of article 12 concerning the control of precursors will enhance coordinated international action to reduce the illicit manufacture of narcotic drugs and psychotropic substances. The Board notes with satisfaction that concrete steps are being taken by a number of Governments, both individually and collectively, to prevent diversion. More detailed analysis is provided in a separate report of the Board to the Commission on the implementation of article 12.

23. Enforcement measures are resulting in more and ever larger seizures of narcotic drugs, psychotropic substances and substances used in their manufacture ("precursors"). The mounting stocks of seized drugs pose serious security problems. This is revealed by instances of their re-diversion into the illicit market. Security is best guaranteed by the prompt destruction of drugs following seizure. The Board recommends that all countries adopt such a policy as is foreseen by article 14, paragraph 5, of the 1988 Convention. The same provision recognizes that it may be necessary for some countries to keep duly certified quantities of particular seizures for admissibility of evidence in judicial proceedings.

24. In accordance with its broad responsibilities under the 1961, 1971 and 1988 Conventions, the Board intends to monitor Governments' action to comply with interrelated obligations elaborated in these treaties and to include its findings, as appropriate, in future annual reports.

25. None of the three Conventions can operate with full effectiveness unless all States become Parties and actively carry out their obligations. The Board appeals to States that have not yet done so to become Parties to all three Conventions without further delay. World-wide adherence and active cooperation to impose strict control are basic to an effective international fight against illicit cultivation, production, manufacture, trafficking and abuse of drugs.

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26. During 1991, the United Nations International Drug Control Programme, which integrates the structures and functions of the Board's secretariat, the Division of Narcotic Drugs and the United Nations Fund for Drug Abuse Control, has been put in place pursuant to resolution 45/179 of the General Assembly. The Board and the Programme's Executive Director have agreed on the necessary revised administrative arrangements to ensure the full technical independence of the Board in carrying out its functions, and these arrangements were approved by the Economic and Social Council in its resolution 1991/48. The Board hopes that additional administrative action necessary to make to Programme fully operational will be taken quickly. The Board attaches utmost importance to the adoption of measures that will permit simplification of formalities and maximum leeway to the Programmes's Executive Director so that administrative matters such as essential personnel recruitment can be undertaken without delay. The process required to put the new structure in place has necessarily preoccupied not only the Executive Director but also most members of the professional staff of the drug control units, including the Board's secretariat over many months. The dimensions, dynamics and seriousness of the drug control problem world-wide require that the Programme's activities be urgently resumed at full capacity and that they be expanded.

27. The Board notes that current planning foresees a substantial reduction in the Board's secretariat despite its expanded responsibilities which previously have even prompted the Board to call for staff increases. In accordance with the administrative arrangements, the Board expects that staff posted elsewhere within the Programme will provide full and timely support to the Board in the discharge of its functions. However, the Board is uncertain whether the minimal staff in its own secretariat will be sufficient to permit the technical units to carry out their responsibilities, which include day-to-day communication with countries' drug control authorities to provide information and assistance basic to implementation of treaty controls to prevent diversion to the illicit traffic of narcotic drugs, psychotropic substances and precursors.

28. The 1961, 1971 and 1988 Conventions also confer upon the Board a broad mandate to monitor treaty implementation by Governments, to initiate continuing dialogues and to promote remedial measures when the aims of the treaties are endangered. It is understood that the Programme will provide assistance to enable the Board to continue to conduct quiet diplomacy aimed at promoting treaty compliance. The Board and Programme are discussing possible modalities to facilitate such an arrangement and generally to develop mutually helpful procedures. The Board intends to cooperate fully in this endeavour, and hopes that this kind of approach is feasible.

29. The continuing full cooperation of all Governments with the Board and Programme is a prerequisite for the United Nations ability to provide effective international leadership and coordinate action to reduce drug abuse, eradicate illicit and uncontrolled production, suppress trafficking and strengthen international control to prevent diversion of drugs required for medical purposes. The Board appeals for such cooperation and for the

provision to the Programme of adequate and sustained resources at a level commensurate with the serious magnitude of the drug problem. Without such resources, the mounting and urgent requests by countries for sorely needed assistance under the United Nations aegis cannot be fulfilled.

Notes

1/ United Nations, Treaty Series, vol. 520, No. 7515, p. 151, as amended by the 1976 Protocol (United Nations Treaty Series, vol. 976, No. 14152, p. 105).

2/ United Nations Treaty Series, vol. 1019, No. 14956, p. 176.

3/ Report of the International Narcotics Control Board for 1991 (United Nations publication Sales No. E.91.XI.4), chap. III.

The report of the Board is supplemented by two detailed technical reports: Narcotic Drugs: Estimated World Requirements for 1991 - Statistics for 1990 (United Nations publication Sales No. E/F/S.91.XI.2); and "Psychotropic substances: statistics for 1990" (E/INCB/1991/3).